where a few rich owners can make judgments about where to bestow hundreds of millions of dollars of economic benefits to one region or another or one city or another, are in concert with the interests of our economy and our country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. Mr. President, I will take a moment to bid farewell to my friend Yitzhak Rabin. I was unable to attend the funeral due to some family responsibilities, but had an opportunity to get to know the Prime Minister well in his visits to the United States. And to speak to him three or four times a year about the foreign aid program for Israel and other issues related to the Middle East.

Not only has Israel lost a great statesman but the world has lost one of the premier figures of this century.

CAMPAIGN FINANCE REFORM

Mr. McCONNELL. Mr. President, I noted with interest last week the testimony of the Speaker of the House before the House Oversight Committee on the subject of campaign finance reform and the reaction to the Speaker's speech here in the Senate last Friday by two of our colleagues.

Let me say, we are back into it again. The biennial assault on the first amendment has begun anew.

The Speaker of the House last week, in addressing this issue in some of the most skillful and brilliant testimony I have seen or been privileged to hear, pointed out that this debate is about the first amendment. We are talking about free speech and the doling out of the ability to communicate in a free society.

Some of my colleagues here on Friday ridiculed the Speaker for stating what is perfectly obvious—that we do not spend enough on campaigns in this country, not nearly enough.

As a matter of fact, it is interesting to note that in the 1993–94 cycle, the most recent 2-year cycle of congressional elections, congressional campaigns spent about what the American public spent in 1 year on bubble gum. I repeat, Mr. President, in the last congressional cycle, we spent on congressional campaigns what Americans spend in 1 year on bubble gum. And about half of what they spend on yogurt, and about half what they spend on potato chips.

So where did this notion get going that we were spending too much in campaigns? Compared to what? Compared to what? When you look at any sensible comparison, we are spending a pittance communicating with voters and expressing ourselves in the American political system.

Commercial advertising in 1992 was $44 billion. The cost of democracy, if you will, in the 1993–94 cycle was $724 million—as I said, roughly what Americans spent on bubble gum that year. Another way of looking at it, Mr. President, per eligible voter spending was about $3.74. That would get you an extra-value meal at McDonald's. The equivalent of a burger, fries, and a Coke is not too much to spend to communicate with the American voter.

Prof. Bradley Smith, in a work released by the Cato Institute, recently observed that Sony is spending more to promote Michael Jackson's latest album than the 1994 Republican Senate nominee in California spent. That is a race that a lot of people like to focus on, even though on a per capita basis there was less spending in California than in a number of other States.

Newsweek columnist Robert Samuelson noted in an August 1995 column that campaign spending is tiny—five or six one-hundredths of 1 percent of the gross domestic product. This is up from three one-hundredths of one percent in the 1960's. As Samuelson put it, it hardly seems a high price to pay for democracy.

David Broder in the Washington Post in June of 1993 said:

> Communication is the heart of campaign politics, and candidates are competing, not just with each other, but with all the other messages being beamed at the American public. The added cost of the 1992 campaign was the direct byproduct of a very desirable change—a marked increase in competition. There were 1,200 more congressional candidates in 1992 than in 1990—a 63 percent increase.

So Broder pointed out that:

> It is illogical to welcome the infusion of energy and ideas represented by the largest freshman class in 44 years and condemn the cost of their campaigns.

He is talking about the 1992 class.

Broder concluded in that article:

> Few politicians in today's cynical climate want to tell the voters the truth. If you want competitive politics, make up your mind that it is going to be relatively expensive. Democracy, like other good things, is not cost-free.

But expensive compared to what? It is said time after time on the floor of the Senate that campaign spending is out of control. It is just not true. There is no basis for that. And it is repeated as if it were fact.

We spend a pittance on politics in this country. And, as the Speaker pointed out last week, we really ought to be spending more. To the extent that our speech is restrained by some artificial Government-imposed effort to restrict it, others will fill the void. As the Speaker pointed out, the void left by the limits—if we had limits on our speech—would be further filled by the media, in addition to other powerful entities.

A Member of this body on this floor last Friday blasted as ''ludicrous'' the Speaker's observation that over half the money he raises is to offset the Atlanta Journal and Constitution. The Senator further noted that his opponent is not the newspaper. Maybe this colleague of ours who was lambasting the Speaker enjoys a great relationship with his newspaper, but he ought to try to be on this side of the aisle doing battle with the liberal newspapers across America. To conservatives, the undeniably and repeatedly proven liberal slant of the media is an opponent. Of course, all those newspapers would love to restrain our speech so their speech would be enhanced.

I have ruminated at some length on this over the years, including a 1994 piece for the New York Times entitled ''The Press as Power Broker,'' and another for USA Today, also last year.

Mr. President, I ask unanimous consent that both of those articles be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 18, 1994]

THE PRESS AS POWER BROKER

(By Mitch McConnell)

WASHINGTON.—In political campaigns, paid advertisements are speech amplifiers—the only practical way for candidates to speak directly to large numbers of voters. That is why the Supreme Court ruled, in Buckley v. Valeo (1976), that involuntary spending limits are an unconstitutional infringement of free speech.

Now, in the name of campaign reform, the Senate and House have both passed ''voluntary'' spending limits for Congressional campaigns. But while they aim to equalize spending between candidates, these limits would distort the political process, creating a whole new set of power brokers—including, perhaps not coincidentally, some of the loudest cheerleaders for the new spending limits: America's largest newspapers.

To get around the Supreme Court ruling, the bills would not explicitly require spending limits. Instead, candidates would be bludgeoned into compliance by a panoply of heavy penalties. These schemes, which have the enthusiastic support of the New York Times, among other papers, are voluntary in name only.

Under the Senate bill, candidates who refused to abide by the limits would have their campaign receipts taxed at the full corporate rate, currently 35 percent. They would be required to include self-incriminating disclaimers in their ads and their campaigns would be saddled with extra reporting requirements. That is just for starters.

When noncomplying candidates went even a penny over the ''voluntary'' limit, their opponents would receive a Government grant equal to one-third of the limit. The more that noncomplying candidates spent above the limit, the more tax dollars their complying opponents would get.

The Senate bill also provides for Government grants to counteract independent expenditures by private citizens or groups for or against any complying candidate. If David Duke decided to run for the Senate and the N.A.A.C.P. or B'nai B'rith decided to spend money in opposition to his candidacy, he would be eligible for dollar-for-dollar matching funds to fight back. And ask yourself this: if an independently financed ad urged people to ''Support Senator X—she voted 50 times to raise your taxes,'' which candidate would get the money to counteract it?

The more a candidate's campaign was hamstrung by a limit on spending (and speech), the more powerful other players would become—labor unions, religious groups, anyone with an agenda to promote. In particular, newspapers would emerge unscathed from this ''reform,'' perfectly situated to fill the communications void created by the spending limits. Their power to make or break

candidates would increase as the candidates' ability to communicate through paid advertisements was severely limited.

Most campaign spending goes toward getting an unfiltered message to voters. This requires expensive television, mail and newspaper advertisements. Simply speaking from the courthouse steps, as in days gone by, would be cheaper; but it is impossible to reach most voters that way.

The ''reform'' effort based on spending limits is obviously unconstitutional, yet the nation's largest newspapers proceed full steam ahead in their promotion of it. Perhaps they do not fully appreciate that newspapers could be but a loophole away from having their election-related editorials regarded as ''independent expenditures'' under Federal election law. Or perhaps their true campaign finance goal is to tilt the political playing field in their own favor.

[From the USA Today, Oct. 24, 1994]

DON'T LIMIT SPENDING

(By Mitch McConnell)

In 1992, congressional campaigns spent about $3.63 per eligible voter—comparable to a McDonald's ''extra value meal.'' The truth is campaign spending is paltry compared to expenditures for commercial advertising. Yet advertising is the only practical—and most cost-efficient—means of communicating to large electorates. That is why the Supreme Court has said that in political campaigns, spending is speech, and therefore involuntary spending limits are unconstitutional.

Had the Senate not mercifully killed it, this year's version of USA TODAY's beloved ''reform'' scheme would have self-destructed in the courts. It was a blatantly unconstitutional attack on citizens' freedom to participate in elections. And, its spending/speech limits were not ''voluntary.''

For example, if the NAACP had the audacity to oppose a Senate candidacy by David Duke, this ''reform'' would direct tax dollars to Duke to ''counteract'' the NAACP! Candidates who didn't ''voluntarily'' limit spending would have their campaign funds taxed, lose broadcast and mail discounts, be forced to run self-incriminating ad disclaimers, be choked with extra red tape and trigger matching funds for their opponents if they exceeded the speech/spending limits. That's why the American Civil Liberties Union opposed the bill.

The National Taxpayers Union opposed what amounted to an entitlement program for politicians, providing communication vouchers (''food stamps for politicians'') to House candidates and a host of benefits to Senate candidates. Political scientists opposed the spending/speech limits because they advantage incumbents over challengers, celebrities over unknowns—the political haves over the have-nots.

Republicans opposed the scheme for all these reasons and more. USA TODAY misdiagnoses the problem and prescribes a constitutionally toxic cure. Perhaps USA TODAY would consider a dose of its own medicine: tax dollars to candidates to ''counteract'' hostile newspaper editorials and an aggregate word limit for articles. This would help ''level the playing field,'' alleviate the political ''headline chase'' and lessen the annoying din of media coverage.

The premier political reform is the First Amendment. If those freedoms were protected only for the press, newspapers would be omnipotent. Perhaps that is why USA TODAY so casually dismisses the First Amendment concerns of others.

Mr. MCCONNELL. Mr. President, in the New York Times piece I referred to the fact that the media factor is codified in law in which they are specifically exempted from the definition of campaign expenditure. The reason that they need to be exempted is because the assumption is that media activities would be a political expenditure. Right here in the Federal election campaign laws compiled by the Federal Election Commission on page 6, it is pointed out that the term ''expenditure'' does not include any news story, commentary, or editorial distributed through the facilities of any broadcasting station, and so on.

The point this makes is that you could assume that is an expenditure in a campaign. So there is a need to specifically exempt it. The Speaker is absolutely correct. To the extent that the speech of an individual campaign is artificially restrained by some Government-imposed speech limit, the speech of others will be enhanced. Most particularly the liberal media of this country who love to limit anybody else's speech so their speech will be louder and more penetrating.

An objective observer unconcerned or unfamiliar with the Constitution might call that media exemption a loophole. But the point fundamentally, Mr. President, is that we are not, as the Speaker indicated, spending too much on politics in this country. We ought to be spending more. Any effort to restrain the speech of campaigns, to shut up the campaigns, will enhance the speech of others. To rearrange speech in this democracy is not a desirable goal.

So we begin again the seemingly endless debate that has certainly dominated the Senate during my period here about the desirability of clamping down on American campaigns and shutting up candidates so they will not speak too much and providing some kind of subsidy—a bribe, if you will—to get them to shut up.

The Supreme Court has said that spending is speech and cannot be limited. But it did say that you could offer a public subsidy to candidates if you wanted to sort of pay them to shut up. That is the Presidential system, and the reason even candidates like Ronald Reagan, who stated that he would take taxpayer funding and said, ''I will take it. I cannot afford not to. The subsidy is so generous.''

The various schemes we discussed here in the Congress do not have as generous a subsidy. It has been proposed that we have the broadcasters pay for our campaigns, or that we have the Post Office customers pay for our campaigns through broadcast discounts and postal subsidies, as if this somehow was not real money. Well, it is real money. And make no mistake about it, the goal of all of these schemes is to clamp down on political speech, which, of course, will in turn limit the participation of Americans in the political system. There is much more to be said, and I expect we will have an opportunity next year to say it.

Mr. President, I yield the floor.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER (Mr. GORTON). The Senator from Minnesota.

RELEASE OF PRISONERS FROM VIETNAM

Mr. GRAMS. Mr. President, I was very pleased to learn of the release today of two American prisoners in Vietnam. They are Mr. Nguyen Tan Tri and Mr. Tran Quang Liem. Both Mr. Tri and Mr. Liem will arrive in the United States today.

The American citizens were detained 2 years ago, along with Steven Young, a constituent of mine and a well-known promoter of democracy in Vietnam. The three Americans were in Vietnam organizing a conference on democracy with Vietnamese activists.

Unfortunately, the right to free speech is not yet recognized in Vietnam, and the three Americans were detained without charge. Steve Young was released within a few days, but Tri and Liem languished in poor health in a Vietnamese prison for nearly 2 years before they were charged, tried, and convicted of treason in mid-August. Sentences of 7 years for Tri and 4 years for Liem were then issued.

As a member of the Foreign Relations Subcommittee on Eastern Asia and Pacific Affairs, I made this matter a top priority. On September 19, I passed Senate Resolution 174, which was cosponsored by my colleagues Mr. DOLE, Mr. HELMS, and Mr. THOMAS. The resolution called for U.S. Government intervention at the highest levels to secure freedom for these Americans. At the time it did not appear that Secretary-level contact had been made in this matter, something that I believed was essential after the normalization with Vietnam. Suitable contacts were subsequently made, allowing us to communicate how important the release of these two Americans was to our Government and to the relationship between our two countries.

On October 12, I met with family members of Mr. Tri and Mr. Liem, who had traveled to Washington from Texas and California to urge the Government to give this matter the same priority that it gave to the release of Harry Wu. The families were concerned about the health of the American prisoners, as well as the poor prison conditions to which they were subjected. They were informed by the State Department officials that release had become a top priority for the administration.

Mr. President, shortly after this meeting, it appeared that the Vietnamese were becoming more interested in resolving this matter. The rumors out of Vietnam were rampant. Several times we heard that there would be a retrial. We heard that there would be a release about the same time of President Le's visit to the United States to attend the U.N. anniversary celebration. We then heard the retrial would